



US Army Corps
of Engineers

SAN FRANCISCO DISTRICT

PUBLIC NOTICE

NUMBER: 98-3 (Revision 1) DATE: October 21, 1998
RESPONSE REQUIRED BY: November 30, 1998

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

SUPPLEMENTAL FEDERAL REGISTER NOTICE CONCERNING THE NATIONWIDE PERMIT PROGRAM

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The Corps published a supplemental notice in the October 14, 1998, *Federal Register* proposing additional restrictions to the Nationwide Permit (NWP) program. The Corps has also revised its schedule for developing the new and modified NWPs to provide the opportunity for additional public comment on the NWPs and regional conditions. In the October 14, 1998, *Federal Register* notice, the Corps announced its decision to extend NWP 26 until September 15, 1999, to ensure that this NWP is available until the new and modified NWPs become effective. In addition, the Corps announced its decision to withdraw the proposed NWP B for master planned development.

In the October 14, 1998, *Federal Register* notice, the Corps is proposing to limit the use of certain NWPs in waters of the United States within the 100-year floodplain. Maps published by the Federal Emergency Management Agency will be used to identify the extent of the 100-year floodplain. The Corps is also proposing to limit the use of NWPs in designated critical resource waters and in impaired waters. This will result in a delay in the schedule for issuing the new and modified NWPs.

The October 14, 1998, *Federal Register* notice is available on the Internet at the Corps regulatory home page at: <http://www.usace.army.mil/inet/functions/cw/cecwo/reg/> or at the *Federal Register* home page available through the Government Printing Office (GPO) at http://www.access.gpo.gov/su_docs/aces/aaces002.html. This document will also be available for review at the district office by contacting Jane Hicks at 415-977-8439.

Comments on the proposed additional restrictions on the NWPs discussed in the October 14, 1998, *Federal Register* notice should be sent to the Office of the Chief of Engineers, Regulatory Branch (ATTN: CECW-OR), Washington, D.C. 20314-1000. Comments are due by November 30, 1998. For further information on the proposal published in the October 14, 1998, *Federal Register*, please contact Mr. David Olson or Mr. Sam Collinson, at (202) 761-0199.

For the proposed new and modified NWPs, except for NWP B, the Corps is continuing to review the comments received in response to the July 1, 1998, *Federal Register* notice and is preparing the final new and modified NWPs for publication in the *Federal Register* on March 6, 1999. The comments received in response to the October 14, 1998, *Federal Register* notice will be considered and incorporated into final new and modified NWPs.